

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:06-00248

BRANDON WALKER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 8, 2015, the United States of America appeared by Erik S. Goes, Assistant United States Attorney, and the defendant, Brandon Walker, appeared in person and by his counsel, William C. Forbes, for a hearing on the petition on supervised release submitted by United States Probation Officer Steven M. Phillips. The defendant commenced an eighteen-month term of supervised release in this action on September 13, 2013, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on July 6, 2012.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court

found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated federal and state law inasmuch as on March 11, 2014, a criminal complaint was filed in Cambridge, Ohio, Municipal Court charging him with trafficking marijuana, which conduct is evidenced by his admission to the probation officer on March 24, 2014, that he was arrested after departing Columbus, Ohio, where he picked up three pounds of marijuana for distribution purposes, as well as his plea of guilty on December 18, 2014, to felony possession of marijuana in the Guernsey County, Ohio, Court of Common Pleas; (2) the defendant left the judicial district without permission inasmuch as he was arrested on March 11, 2014, in the Southern District of Ohio, as set forth above, and had not obtained prior approval of the probation officer; and (3) the defendant used and possessed marijuana as evidenced by his admission to the probation officer on May 2, 2014, that he had smoked marijuana several times during the previous month, with the last use occurring during the prior week; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of

supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHTEEN (18) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 9, 2015


John T. Copenhaver, Jr.

3 United States District Judge